

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

SARAH J. BECK,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1:18-cv-00174-JRS-DLP
	)	
HONDA MANUFACTURING OF	)	
INDIANA, LLC,	)	
	)	
Defendant.	)	

**ORDER**

This matter comes before the Court on Plaintiff's Motion to Modify Case Management Plan Relative to Factual Discovery Deadline of January 21, 2019 (Dkt. 52). The matter has been referred to the Undersigned for a ruling.

**I. Background**

In her Motion, the Plaintiff indicated that the Defendant had agreed to supplement additional information in response to Plaintiff's second set of discovery requests in January 2019. After the first of Plaintiff's Fed. R. Civ. P. 30(b)(6) depositions were conducted on January 15, 2019, the Defendant produced 1,570 pages of discovery. After the remaining four Fed. R. Civ. P. 30(b)(6) depositions were conducted on January 18, 2019, the Defendant produced over 2,850 additional pages of discovery. Plaintiff now seeks leave of the Court for an extension of the discovery deadline in order to review and evaluate the contents of the Defendant's extensive discovery supplementation.

On February 1, 2019, the Defendant filed a response wherein it asserts that the Plaintiff's motion must be denied because the Plaintiff failed to comply with Local Rule 6-1(a)(5) in filing a motion for extension of time three business days prior to the deadline and because the Plaintiff has failed to demonstrated good cause for modifying the January 21, 2019 discovery deadline.

On February 8, 2019, the Plaintiff filed a reply in support of her motion for extension of time, wherein she indicates that the Defendant has produced an additional 4,665 pages of discovery since the present motion for an extension of the discovery deadline has been pending.

## **II. Legal Standard**

Federal Rule of Civil Procedure 16(b)(4) states that a "schedule may be modified only for good cause and with the judge's consent." A good cause determination "primarily considers the diligence of the party seeking amendment." *Trustmark Ins. Co. v. Gen. & Cologne Life Re of Am.*, 424 F.3d 542, 553 (7th Cir. 2005).

## **III. Discussion**

The Court is troubled by the representations made in the Plaintiff's Motion for Extension of Time and subsequent Reply brief thereto. While the Plaintiff should have submitted her second set of discovery requests earlier, that does not justify the Defendant's actions in producing over 6,000 pages of documents right as the discovery deadline was passing. It would be entirely inapposite for the Court not to allow the Plaintiff additional time to review these documents.

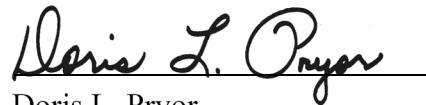
The Plaintiff filed her motion for extension of time within three days of receiving the supplemental documents from the Defendant, thereby satisfying the diligence requirement and demonstrating good cause for extending the discovery deadline. The Court is also mindful, however, that this extension would place the discovery deadline after the dispositive motion deadline.

#### **IV. Conclusion**

The Court determines that good cause has been shown and, therefore, **GRANTS** the Plaintiff's Motion for Extension of Time (Dkt. 52). The deadline for non-expert discovery is **EXTENDED** to and including **March 21, 2019**. Additionally, the dispositive motion deadline is **EXTENDED** to and including **April 19, 2019**.

So ORDERED.

Date: 2/13/2019

A handwritten signature in black ink, reading "Doris L. Pryor", written over a horizontal line.

Doris L. Pryor  
United States Magistrate Judge  
Southern District of Indiana

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